

ISMAL J. RAMSEY (CABN 189820)
United States Attorney

KATHERINE L. WAWRZYNIAK (CABN 252751)
Chief, Criminal Division

EMILY R. DAHLKE (CABN 322196)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-7124
FAX: (415) 912-6522
Emily.Dahlke@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 3:23-cr-00165 CRB
)	
Plaintiff,)	DETENTION ORDER
)	
v.)	
)	
RODOLFO SAGASTUME-PINEDA)	
)	
Defendants.)	

On May 31, 2023, the defendant, Rodolfo Sagastume-Pineda, made an initial appearance on the complaint charged in the above-captioned case. The government moved for the defendant's pre-trial detention.

On June 6, 2023, the grand jury returned an indictment, charging the defendant with the same conduct alleged in the complaint. On June 7, 2023, the defendant was arraigned on the indictment and the Court held a detention hearing. The defendant was present and represented by Assistant Federal Defender Elizabeth Falk. Assistant United States Attorney Emily R. Dahlke appeared for the government. Both counsel for the government and counsel for the defendant submitted proffers and arguments regarding detention.

Upon consideration of the facts and arguments presented, and for the reasons stated on the

1 record, the Court finds that the government met its burden to prove by clear and convincing evidence
2 that the defendant is a serious risk of flight. Accordingly, the defendant must be detained pending
3 resolution in this matter.

4 The present order supplements the Court's findings and order at the detention hearing and serves
5 as written findings of fact and a statement of reasons as required by Title 18, United States Code,
6 Section 3142(i)(1). As noted on the record, the Court makes the following findings as the bases for its
7 conclusion: the defendant is a flight risk because he has no viable surety and he has a strong ties to a
8 foreign country, and the defendant is a public safety risk due to his demonstrated pattern of continuing to
9 sell illegal narcotics, even when on probation and pre-trial release. This finding is made without
10 prejudice to the defendant's right to seek review of defendant's detention or file a motion for
11 reconsideration if circumstances warrant it.

12 Pursuant to 18 U.S.C. § 3142(i), IT IS ORDERED THAT:

13 1. The defendant be, and hereby is, committed to the custody of the Attorney General for
14 confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving
15 sentences or being held in custody pending appeal;

16 2. The defendant be afforded reasonable opportunity for private consultation with counsel;
17 and

18 3. On order of a court of the United States or on request of an attorney for the government,
19 the person in charge of the corrections facility in which the defendant is confined shall deliver the
20 defendant to an authorized United States Marshal for the purpose of any appearance in connection with a
21 court proceeding.

22 IT IS SO ORDERED.

23
24 DATED: June 8, 2023



HONORABLE SALLIE KIM
United States Magistrate Judge